

## [CHAPTER 557.]

## AN ACT

To amend the Mineral Lands Leasing Act of 1920 with reference to oil- or gas-prospecting permits and leases.

June 16, 1934.

[S. 3723.]

[Public, No. 373.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920, as amended, is amended by adding the following new section:

"SEC. 40. (a) All prospecting permits and leases for oil or gas made or issued under the provisions of this Act shall be subject to the condition that in case the permittee or lessee strikes water while drilling instead of oil or gas, the Secretary of the Interior may, when such water is of such quality and quantity as to be valuable and usable at a reasonable cost for agricultural, domestic, or other purposes, purchase the casing in the well at the reasonable value thereof to be fixed under rules and regulations to be prescribed by the Secretary: *Provided*, That the land on which such well is situated shall be reserved as a water hole under section 10 of the Act of December 29, 1916.

Purchase of casings in wells when water suitable for agriculture, etc., is struck.

*Provided.*  
Water holes.  
Vol. 39, pp. 865, 518.

"(b) In cases where water wells producing such water have heretofore been or may hereafter be drilled upon lands embraced in any prospecting permit or lease heretofore issued under the Act of February 25, 1920, as amended, the Secretary may in like manner purchase the casing in such wells.

Purchase of water wells upon lands embraced in any prospecting permit.

"(c) The Secretary may make such purchase and may lease or operate such wells for the purpose of producing water and of using the same on the public lands or of disposing of such water for beneficial use on other lands, and where such wells have heretofore been plugged or abandoned or where such wells have been drilled prior to the issuance of any permit or lease by persons not in privity with the permittee or lessee, the Secretary may develop the same for the purposes of this section: *Provided*, That owners or occupants of lands adjacent to those upon which such water wells may be developed shall have a preference right to make beneficial use of such water.

Opening and operating plugged or abandoned wells.

*Provided.*  
Preferential rights of vicinity.

"(d) The Secretary may use so much of any funds available for the plugging of wells, as he may find necessary to start the program provided for by this section, and thereafter he may use the proceeds from the sale or other disposition of such water as a revolving fund for the continuation of such program, and such proceeds are hereby appropriated for such purpose.

Use of available sums to initiate program and proceeds from sales as revolving fund.

"(e) Nothing in this section shall be construed to restrict operations under any oil or gas lease or permit under any other provision of this Act."

No restriction, unless stipulated.

Approved, June 16, 1934.

## [CHAPTER 558.]

## JOINT RESOLUTION

Authorizing suitable memorials in honor of James Wilson and Seaman A. Knapp.

June 16, 1934.

[S. J. Res. 100.]

[Pub. Res. No. 33.]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the archway connecting the new building of the Department of Agriculture (commonly known as the "South Building") with the west wing of the main building of the Department of Agriculture shall be designated the "Wilson Memorial Arch" in memory of James

Department of Agriculture.  
Memorial archways authorized.  
"Wilson Memorial Arch."

Wilson, Secretary of the Department of Agriculture for sixteen years, and shall be suitably inscribed as such.

"Knapp Memorial Arch."

SEC. 2. The archway connecting such new building with the east wing of the main building of the Department of Agriculture shall be designated the "Knapp Memorial Arch" in memory of Seaman A. Knapp, who rendered great service to American agriculture, and shall be suitably inscribed as such.

Memorial tablets.

SEC. 3. The Grand Council of the National Honorary Extension Fraternity, Epsilon Sigma Phi, is hereby authorized to place, without expense to the United States, in each such memorial arch a suitable memorial tablet; but such tablets shall not be erected until the plans and specifications therefor have been submitted to and approved by the Commission of Fine Arts.

Approved, June 16, 1934.

Subject to approval by Fine Arts Commission.

#### [CHAPTER 559.]

#### JOINT RESOLUTION

June 16, 1934.

[S.J. Res. 121.]

[Pub. Res. No. 34.]

Authorizing the President to return the mace of the Parliament of upper Canada to the Canadian Government.

Speaker's mace captured at Battle of York, Canada.

Whereas the mace of the Parliament of upper Canada, or Ontario, has been the symbol of legislative authority at York (now Toronto) since 1792; and

Preamble.

Whereas the mace then in use was taken at the Battle of York, April 27, 1813, by the United States forces and since has been preserved in the United States Naval Academy at Annapolis; and Whereas on July 4, 1934, there is to be unveiled in Toronto a memorial tablet erected by the United States Daughters of 1812, to the memory of General Pike and others of the United States forces who were killed in action: Now, therefore, be it

President authorized to return to Canadian Government.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to return said mace to the Canadian Government in token of the mutual friendship and good will existing between the people of the United States and those of Canada.

Approved, June 16, 1934.

#### [CHAPTER 567.]

#### AN ACT

June 18, 1934.

[S. 852.]

[Public, No. 374.]

To amend section 24 of the Trading with the Enemy Act, as amended.

Trading with the Enemy Act, amended. Vol. 42, p. 1516; Vol. 43, p. 277.

Credit or refund of any income, or war profits, erroneously assessed and collected, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 24 (b) of the Trading with the Enemy Act, as amended by the Settlement of War Claims Act of 1928, approved March 10, 1928, is amended by adding at the end thereof the following: "Notwithstanding the expiration of any period of limitation provided by law, credit or refund of any income, war-profits, or excess-profits tax erroneously or illegally assessed or collected may be made or allowed if claim therefor was filed with the Commissioner of Internal Revenue by the Alien Property Custodian on or before February 15, 1933."

Approved, June 18, 1934.